

## **REMARKS**

Claims 1-3, 5-27, 29-30 and 45 are pending in the application.

Independent claim 1 is amended above to further distinguish what it is that the applicants claim as their invention from the prior art.

Claims 6, 13, 19 and 29 are amended above to modify certain language in the claims to make it consistent with the language used in independent claim 1.

No new matter has been added to the application by way of these specification and claim amendments.

The Applicant thanks the examiner David Parsley for holding a telephonic interview on May 20, 2010 with A. Blair Hughes to discuss proposals for amending application claim 1 to distinguish it from Winters (USP 4,766,813). No agreement regarding ultimate claim patentability was reached, but the participants did agree an amendment proposed by the Applicant would overcome the examiner's anticipation rejection of claim 1.

### **I. THE ANTICIPATION REJECTION**

Claims 1-3, 13, 19-27 and 29-30 stand rejected for being anticipated by U.S. Patent No. 4,766,813 to Winter et al.

The examiner's anticipation rejection is overcome by amending independent claim 1 above to direct it to a liner that is made of a "compacted particulate composition" of at least two metals. Winters does not disclose a compacted particulate material. Instead, Winters discloses a deposited or sputtered liner material. For at least this reason, Winters does not anticipate independent claim 1. Moreover, claims 2-3, 13-19 and 29-30 are novel at least by virtue of their dependence upon independent claim 1.

### **II. THE OBVIOUSNESS REJECTIONS**

The examiner rejected claims 5-12, 14-18 and 45 for being obvious over the Winters patent in view of one or more additional prior art references.

Claims 5-12, 14-18 and 45 at least by virtue of their dependence upon claim 1 which is patentable for the reasons recited in Section I above.

### **CONCLUSION**

All pending application claims are believed to be patentable for at least the reasons recited above. Favorable reconsideration and allowance of all pending claims is, therefore, courteously solicited.

McDonnell Boehnen Hulbert & Berghoff LLP

Date: May 21, 2010

By: /A. Blair Hughes/  
A. Blair Hughes  
Reg. No. 32,901  
312-913-2123